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08 UNITED STATES DISTRICT COURT  
09 WESTERN DISTRICT OF WASHINGTON  
10 AT SEATTLE

11 UNITED STATES OF AMERICA, )  
12 ) Case No. CR00-0184-TSZ-003  
13 Plaintiff, )  
14 )  
15 v. ) SUMMARY REPORT OF U.S.  
16 ) MAGISTRATE JUDGE AS TO  
17 DANTE EULALIO NARTE, ) ALLEGED VIOLATIONS  
18 ) OF SUPERVISED RELEASE  
19 Defendant. )  
20 \_\_\_\_\_ )

21 An initial hearing on a petition for violation of supervised release was held before the  
22 undersigned Magistrate Judge on May 4, 2006. The United States was represented by Assistant  
23 United States Attorney Susan Roe, and the defendant by Mr. Todd Maybrown. The proceedings  
24 were recorded on cassette tape.

25 The defendant had been sentenced on or about Marcy 9, 2001, to thirty-six (36) months  
26 in custody to be followed by five (5) years of supervised release by the Honorable Thomas S.  
Zilly on a charge of Conspiracy to Import and Distribute 100 or More Kilograms of Marijuana.

In addition to the standard conditions of supervised release, which include compliance  
with all local, state, and federal laws, special conditions of supervised release were imposed.  
These special conditions included, but were not limited to, participation in a substance-abuse  
treatment program, consent to search and seizure procedures, no possession of firearms;

01   subjection to mandatory drug testing, participation in drug testing, abstaining from the use of  
02   alcohol, financial disclosure, cooperating with the Internal Revenue Service, and financial  
03   disclosure.

04           In the Pretrial Petition for Warrant or Summons for Offender dated March 9, 2006, and  
05   the Supplemental Violation Report dated March 29, 2005, Mr. Brian H. Rogers, U.S. Probation  
06   Officer, alleges the following violations of defendant's conditions of supervised release:

07           (1)   Failing to submit urine samples as directed on October 4, November 28,  
08   November 21, 2005, and January 9, February 21, and March 6, 2006, in violation of the special  
09   condition that he submit to drug testing to determine if he has reverted to the use of drugs or  
10   alcohol.

11           (2)   Failing to submit monthly reports for the months of December 2005, January  
12   2006, and February 2006.

13           (3)   Assault on March 8, 2006, in violation of the general conditions that he not  
14   commit another federal, state, or local crime.

15           The defendant admitted to violations Nos. 1 and 2, and waived his rights to any  
16   evidentiary hearing as to whether they occurred.


17           At the revocation hearing, the government dismissed alleged violation No. 3.

18           I therefore recommend that the Court find the defendant violated the conditions of his  
19   supervised release as to violations Nos. 1 and 2, and that the Court conduct a hearing limited to  
20   disposition of these violations.

21           A disposition hearing on violations Nos. 1 and 2 has been set before the Honorable  
22   Thomas S. Zilly, for Thursday, May 25th, at 11:00 a.m.

23           Pending a final determination by the Court, the defendant has been released subject to  
24   the continued terms of his supervised release.

01 DATED this 8th day of May, 2006.

02   
03 JAMES P. DONOHUE  
04 United States Magistrate Judge

05 cc: District Judge: The Hon. Thomas S. Zilly  
06 AUSA: Ms. Susan Roe  
07 Defendant's attorney: Mr. Todd Maybrow  
08 Probation officer: Mr. Brian Rogers  
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